

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

United States District Court
Southern District of Texas
FILED

SEP 25 2014

UNITED STATES OF AMERICA
V.

David J. Bradley, Clerk

Miguel MENDOZA
United States Citizen
YOB: 1990

CRIMINAL COMPLAINT

M-14-1874-M

Ever GONZALEZ-Lazo
Honduran Citizen
YOB: 1984

Phillip MERCADO
United States Citizen
YOB: 1957

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 24, 2014 in Hidalgo County, in the Southern District of Texas defendant(s) did, knowingly and intentionally conspire to possess with intent to distribute with persons known and unknown approximately 251.0 kilograms of marijuana, a Schedule I controlled substance.

in violation of Title 21 United States code, Section 846.

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHMENT A

Continued on the attached sheet and made a part hereof:

X Yes

☐ No

Amoroso
[Signature]

Natt Otterson

Signature of Complainant

Natt Otterson, Special Agent
U.S. Immigration & Customs enforcement

Sworn to before me and subscribed in my presence,

September 25, 2014
Date

8:32 a.m.

at McAllen, Texas
City and State

Magistrate Judge Peter E Ormsby
Name & Title of Judicial Officer

Peter E Ormsby

Signature of Judicial Officer

ATTACHMENT A

Before the United States Magistrate Judge, Southern District of Texas, I, Natt Otterson, Special Agent, United States Immigration and Customs Enforcement, being duly sworn, depose and say the following:

On the afternoon September 24, 2014 HSI Agents received information that a black Escalade would be transporting marijuana from the parking lot at the Foy's shopping center in Mission, Texas. Shortly thereafter, Agents setup surveillance in the Foy's parking lot and observed a black in color Escalade park. Agents observed the driver leave the Escalade and another subject later identified as Miguel MENDOZA, get dropped off near the Escalade. Agents observed MENDOZA get into the Escalade and drive away. Agents conducted surveillance on the Escalade and observed it arrive at 12920 N Inspiration Rd in Alton, Texas and shortly thereafter the Escalade left. Agents observed the Escalade return to the Foy's parking lot where MENDOZA was picked up in a grey passenger vehicle driven by a subject later identified as Ever GONZALEZ-Lazo. Agents conducted surveillance on the passenger car and it was stopped by Mission, Texas Police for a traffic infraction. The driver, GONZALEZ did not provide a driver's license and the passenger, MENDOZA did not have identification and they were detained.

As Agents approached 12920 N Inspiration Rd in Alton, Texas they observed a Trailblazer leave the residence and it was stopped for investigative purposes. The driver, identified as Phillip MERCADO agreed to accompany Agents back to his residence located at 12920 N Inspiration Rd in Alton, Texas. Agents advised MERCADO the reason for the visit to his residence and asked if there was anything illegal on the property to which MERCADO of his own free will uttered, there's marijuana in the shed. MERCADO provided written consent to search the property and Agents subsequently found 255 kilograms of marijuana in the shed along with marijuana presses, vacuum sealer bags and vacuum sealer machines. Agents searched the Trailblazer and located a marijuana press with residue on the back seat. Inside MERCADO's residence Agents located vacuum sealer bags, electricity running from the residence to the shed for the marijuana presses and an industrial size roll of cellophane.

MERCADO, GONZALEZ and MENDOZA were transported to the McAllen, Texas HSI Office for questioning.

MENDOZA was read his Miranda rights in the English language as witnessed by SA Gamez. MENDOZA waived his rights and agreed to speak with Agents. MENDOZA stated the following:

-He transported narcotics to 12920 N Inspiration Rd in Alton, Texas and was going to be paid to do so.

GONZALEZ was read his Miranda rights in the Spanish language as witnessed by SA Otterson. GONZALEZ waived his rights and agreed to speak with Agents. GONAZLEZ stated the following:

-GONZALEZ stated he was contacted about doing marijuana work and was directed to drop off and pick up MENDOZA at the Foy's in Mission, Texas.

-GONZALEZ stated MENDOZA got into a black Escalade after he was dropped off.

-GONZALEZ stated he would be paid to drop off and pick up MENDOZA.

-GONZALEZ stated on three prior occasions he been paid to dropped people off and picked them up for marijuana work.